

Historic, Archive Document

Do not assume content reflects current
scientific knowledge, policies, or practices.

1
A984 Pro
C3

#655

Dep
Marketing Service

Export Fruit Acts

Questions and Answers



Export Fruit Acts

Questions and Answers

Apples, pears, and vinifera grapes exported from the United States must meet minimum quality and other requirements established by the Export Apple and Pear Act and the Export Grape and Plum Act. Plums are not currently regulated. These export fruit acts also require that the U.S. Department of Agriculture (USDA) officially inspect and certify these fruits as being in compliance with the regulations.

This brochure outlines the current regulations established under the Acts and how they apply to fruit shippers and carriers.

1. What are the objectives of the Export Acts?

To promote the foreign trade of apples, pears, plums, and grapes.

To protect the reputation of American-grown fruits in foreign markets.

To prevent deception or misrepresentation of the quality of such products.

To provide for inspection of the specified fruits moving to foreign markets.

2. What are the current minimum grade requirements?

For apples: U.S. No. 1, U.S. No. 1 Early, or U.S. No. 1 for Processing.

For pears: U.S. No. 2 Fresh, or U.S. No. 1 for Processing.

For grapes: Covers varieties of vinifera species (European-type) table grapes. Shipments of fresh grapes to Canada and Mexico are exempt from the regulations. Grapes destined for shipment to Europe, Greenland, and Japan must meet the minimum grade requirements for U.S. Fancy Table—with individual bunches weighing at least one-half pound. Grapes

bound for any other destinations must meet minimum grade requirements of U.S. No. 1 Table, except for an additional 2 percent tolerance for sealed berry cracks on Ribier and Exotic varieties.

For plums: Currently not regulated under these Acts, since marketing agreement and order regulations cover most U.S. plum production. Such regulations limit shipments to the better grades and sizes.

3. What container markings are required?

Each package of apples and pears must be plainly marked with the name and address of the grower, packer, or domestic distributor, as well as the variety, grade, and numerical count or minimum size of the fruit. The name of the foreign distributor may be placed on consumer unit packages shipped in a master container if the container is marked with the name and address of the grower, packer, or domestic distributor. Packages of vinifera grapes (other than packages of 5 pounds or less in master containers) exported to any destination other than Canada* and Mexico must be plainly marked with the name and address of the grower or packer, the variety, and the inspection lot stamp number. However, when packed in units, only one exposed end of each package must show the inspection lot stamp number. Containers of apples or pears for processing must be marked with the word "Cannery" in letters not less than two inches high. Packages of immature apples or pears shipped to Pacific ports west of the International Date Line must be marked with the words "Immature Fruit" in letters not less than 2 inches high.

*Must meet Canadian packaging and labelling requirements.

4. How can a shipper comply with the Acts?

Shippers who export fruits regulated under the Acts can comply by having each shipment inspected and certified by the Federal or Federal-State Inspection Service. Container marking requirements must be met before the certificate will be issued. A copy of the certificate issued by the inspector, showing that the fruit meets the requirements, must accompany the shipment when it is delivered to the carrier.

5. What must a carrier do to comply with the Acts?


Every shipment of apples, pears, or vinifera grapes must be accompanied by a certificate of inspection in order for a carrier to legally transport the fruit, or receive it for transportation, to a foreign destination. The export carrier transporting the fruit out of the country must keep a copy of the certificate on file for 3 years following the date of export.

6. What are the exemptions?

Under the Apple and Pear Act regulations, exemptions apply to shipments not exceeding 100 boxes (5,000 pounds gross weight) of apples or pears on a single conveyance to any country, or 1,000 boxes (50,000 pounds gross weight) of pears on a single conveyance to any one receiver in Western Hemisphere countries touching or lying south of the Tropic of Cancer. The 100-box exemption applies separately to apples and pears. This means that a quantity not exceeding 100 boxes each of apples or pears may be shipped by one person on the same carrier to any one country. Also, more than one exempt lot of apples and/or pears may be shipped at the same time on a conveyance, providing that quantities shipped to any one country do not exceed the specified exemptions. Under the Grape and Plum Act regulations, 25 packages or less of vinifera grapes not exceeding 1,250 pounds gross weight on a single conveyance are exempt.

7. Do such fruits imported into the United States and later reshipped in export have to comply with the Export Acts requirements?

Yes, fruits unloaded in the United States and left free either to be sold on the domestic market or reshipped for export must be inspected and comply with all requirements of the Acts if they are reshipped in export. However, fruits grown outside the United States but moving through U.S. ports on through bills of lading to foreign destinations are not required to comply with requirements of the Acts.



8. How long is an inspection certificate valid?

A certificate for a shipment of vinifera grapes must be issued within 14 days of the date of export. There is no time limitation on certificates for apples or pears. However, many exporters and foreign importers provide in their contracts that the fruit for which they are contracting shall meet specified requirements at time of shipment. This is a good safeguard.

9. Who administers the Acts?

The Marketing Order Administration Branch, Fruit and Vegetable Division, Agricultural Marketing Service of the U.S. Department of Agriculture.

10. How are grade and other requirements established under the Acts?

Industry groups and trade associations submit suggestions to USDA. Suggestions are then prepared as a notice and published for views and comments. After such modifications as may be warranted by the comments received, requirements are issued by USDA and published in the Federal Register.

11. What penalties are provided for violations?

Persons shipping, or offering for shipment, apples, pears, or vinifera grapes in violation of requirements may, after opportunity for hearing, be refused issuance of certificates for periods not exceeding 90 days. Any person, including a carrier, who knowingly violates the Acts shall, upon conviction, be subject to a fine of not less than \$100 nor more than \$10,000.

**For more information on the Export
Fruit Acts, contact any of the
following offices:**

Fruit and Vegetable Division, AMS
U.S. Department of Agriculture
P.O. Box 96456
Washington, D.C. 20090-6456

Fruit and Vegetable Division, AMS
U.S. Department of Agriculture
1220 S.W. Third Avenue, Room 369
Portland, OR 97204

Fruit and Vegetable Division, AMS
U.S. Department of Agriculture
2202 Monterey Street, Suite 102B
Fresno, CA 93721

Fruit and Vegetable Division, AMS
U.S. Department of Agriculture
1313 E. Hackberry
McAllen, TX 78501

Fruit and Vegetable Division, AMS
U.S. Department of Agriculture
Florida Citrus Building, Suite 104
500 3rd Street, N.W.
Winter Haven, FL 33881-4002

**Revised March 1977
Slightly Revised
September 1990**

PA-655

